

AMENDED IN SENATE AUGUST 18, 2014  
AMENDED IN SENATE MARCH 11, 2014  
AMENDED IN ASSEMBLY JANUARY 8, 2014  
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 896**

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**Introduced by Assembly Member Eggman**

February 22, 2013

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An act to add Section 1506 to the Fish and Game Code, relating to wildlife management.

LEGISLATIVE COUNSEL'S DIGEST

AB 896, as amended, Eggman. Wildlife management areas: mosquito abatement.

(1) Existing law provides for the formation of mosquito abatement and vector control districts, and prescribes the powers, functions, and duties of those districts, as specified. The existing Fish and Game Code authorizes the Department of Fish and Wildlife to take specified actions to protect, restore, rehabilitate, and improve fish and wildlife habitat.

Statutory provisions that were repealed on January 1, 2010, required a mosquito abatement and vector control district whose boundaries include one or more wildlife management areas to periodically, or at least semiannually, notify the department of those areas that exceed locally established mosquito population thresholds and associated mosquito control costs. ~~These provisions required the department to take specified actions with regard to the control and abatement of mosquitoes in those wildlife management areas. These provisions required those mosquito abatement and vector control districts, in consultation with the department, to develop standardized monitoring~~

procedures for mosquito surveillance, as prescribed, for each managed wetland habitat at each wildlife management area, and to provide an annual report to the department of pesticide use in those habitats and areas, as specified.

This bill would permanently reenact certain of those provisions and would also make those provisions applicable to *require* a mosquito abatement and vector control district *that includes one or more wildlife management areas, as defined, or in which vectors and vectorborne diseases from a wildlife management area may enter the district.* The bill would require the department to prioritize, for funding, wildlife management areas that exceed locally established mosquito population thresholds based on specified factors. The bill would also make nonsubstantive conforming changes. ~~By imposing new duties on local agencies with regard to mosquito control and abatement practices in wildlife habitat areas, district, to periodically, or at least semiannually, notify the department of those areas that are of concern due to the potential for high mosquito populations that may incur associated mosquito control costs. By requiring local agencies to provide the notification, the bill would impose a state-mandated local program. The bill would require the department to consult with local mosquito abatement and vector control districts to identify those areas within wildlife management areas having the highest need for additional mosquito reduction through the implementation of best management practices, as defined.~~

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. (a) *It is the intent of the Legislature to control*
- 2     *mosquito production on managed wetland habitat that is owned*
- 3     *or managed by the Department of Fish and Wildlife in a manner*
- 4     *that does all of the following:*
- 5     (1) *Maintains or enhances the waterfowl and other wildlife*
- 6     *values of that habitat.*

1 (2) *Minimizes financial costs to the Department of Fish and*  
2 *Wildlife and local mosquito abatement and vector control districts.*

3 (3) *Reduces the need for chemical control of mosquitos.*

4 (4) *Increases coordination and communication between the*  
5 *Department of Fish and Wildlife, local mosquito abatement and*  
6 *vector control districts, and the State Department of Public Health.*

7 (5) *Maintains and protects humans, domestic animals, and*  
8 *wildlife from vector-borne diseases such as West Nile virus.*

9 (b) *The Legislature further finds and declares that the*  
10 *implementation of mosquito prevention best management practices*  
11 *on managed wetland habitat is critical to the Department of Fish*  
12 *and Wildlife's effort to reduce mosquito production in its wildlife*  
13 *management areas.*

14 **SECTION 1.**

15 **SEC. 2.** Section 1506 is added to the Fish and Game Code, to  
16 read:

17 ~~1506. (a) (1) It is the intent of the Legislature to control~~  
18 ~~mosquito production on managed wetland habitat that is owned~~  
19 ~~or managed by the department, in a manner that does all of the~~  
20 ~~following:~~

21 ~~(A) Maintains or enhances the waterfowl and other wildlife~~  
22 ~~values of that habitat.~~

23 ~~(B) Minimizes financial costs to the department and local~~  
24 ~~mosquito abatement and vector control districts.~~

25 ~~(C) Reduces the need for chemical control of mosquitos.~~

26 ~~(D) Increases coordination and communication between the~~  
27 ~~department, local mosquito abatement and vector control districts,~~  
28 ~~and the State Department of Public Health.~~

29 ~~(E) Maintains and protects humans, domestic animals, and~~  
30 ~~wildlife from vector-borne diseases such as West Nile virus.~~

31 ~~(2) The Legislature further finds and declares that the~~  
32 ~~implementation of mosquito prevention best management practices~~  
33 ~~on managed wetland habitat is critical to the department's effort~~  
34 ~~to reduce mosquito production on its wildlife management areas.~~

35 ~~(b)~~

36 **1506. (a)** For purposes of this section, the following definitions  
37 apply:

38 (1) "Managed wetland habitat" means artificially irrigated and  
39 intensively managed wetland habitat administered primarily for  
40 the benefit of waterfowl and other wetland-dependent species.

(2) “Best management practices” means management strategies jointly developed by the department, the State Department of Public Health, and mosquito abatement and vector control districts, in consultation with the Central Valley Habitat Joint Venture, for the ecological control of mosquitoes on managed wetland habitat.

(3) “Wildlife management area” has the same meaning as set forth in subdivision (d) of Section 1504.

(4) “Mosquito abatement and vector control district” has the same meaning as set forth in subdivision (f) of Section 2002 of the Health and Safety Code.

(e)

(b) (1) A mosquito abatement and vector control district whose district boundaries include one or more wildlife management areas or a mosquito abatement and vector control district in which vectors and vectorborne diseases from a wildlife management area may enter the district shall periodically, or at least semiannually, notify the department of those areas that ~~exceed locally established mosquito population thresholds and are of concern due to the potential for high mosquito populations that may incur associated mosquito control costs. The district shall provide the basis for the established thresholds to the department. Those thresholds and costs may be reviewed by the State Department of Public Health for conformity to generally acceptable mosquito control standards.~~

(2) (A) To reduce mosquito production at those wildlife management areas described in paragraph (1), ~~the department, in consultation department shall consult~~ with local mosquito abatement and vector control districts, ~~shall prioritize, for funding, those districts to identify those areas within~~ wildlife management areas having the highest need for additional mosquito reduction through the implementation of best management practices taking into account the following practices.

(i) ~~The best management practices identified pursuant to Chapter 553 of the Statutes of 2004 and any subsequent changes to those practices for the applicable wildlife management area that, when implemented, would result in the mosquito population being reduced below the locally established threshold value while maintaining and enhancing the waterfowl and other wildlife values of that habitat.~~

(ii) ~~The mosquito control plan developed pursuant to Chapter 553 of the Statutes of 2004, in consultation with the local mosquito~~

1 abatement and vector control district, and any subsequent changes  
2 to the plan that applies the best management practices and any  
3 other necessary management practices at the applicable wildlife  
4 management area.

5 (iii) ~~The existing resources available to the department to~~  
6 ~~implement best management practices in the applicable wildlife~~  
7 ~~management areas.~~

8 (B) If the wetland occupies land outside the jurisdictional  
9 boundaries of a mosquito abatement and vector control district,  
10 the department may consult with the State Department of Public  
11 Health to determine which best management practices can be  
12 implemented in the absence of an organized local mosquito control  
13 program.

14 (d) ~~A mosquito abatement and vector control district described~~  
15 ~~in paragraph (1) of subdivision (c) shall do all of the following:~~

16 (1) ~~In consultation with the department, develop standardized~~  
17 ~~monitoring procedures for mosquito surveillance for each managed~~  
18 ~~wetland habitat at each wildlife management area, and, when the~~  
19 ~~monitoring procedures are completed, provide a copy of the~~  
20 ~~procedures to the department. These procedures may be reviewed~~  
21 ~~by the State Department of Public Health for conformity to~~  
22 ~~generally accepted mosquito control standards.~~

23 (2) ~~Conduct posttreatment monitoring of wildlife management~~  
24 ~~area lands and develop performance criteria to document mosquito~~  
25 ~~control effectiveness.~~

26 (3) ~~Provide an annual report to the department specifying the~~  
27 ~~types and quantities of pesticides used, types of habitat sprayed,~~  
28 ~~and the total number of acres treated in a wildlife management~~  
29 ~~area. The annual report shall also include recommendations for~~  
30 ~~the refinement of best management practices to reduce the need~~  
31 ~~for chemical control.~~

32 (e)

33 (c) This section does not affect existing authority of a mosquito  
34 abatement and vector control district under Section 2040 of the  
35 Health and Safety Code.

36 ~~SEC. 2.~~

37 *SEC. 3.* No reimbursement is required by this act pursuant to  
38 Section 6 of Article XIII B of the California Constitution because  
39 a local agency or school district has the authority to levy service  
40 charges, fees, or assessments sufficient to pay for the program or

- 1 level of service mandated by this act, within the meaning of Section
- 2 17556 of the Government Code.

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